

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK

CLINIQUE LA PRAIRIE, S.A.,

Plaintiff,

-against-

THE RITZ-CARLTON HOTEL COMPANY, LLC,

Defendant.

Civil Action No.: 07 Civ 4038

**NOTICE OF MOTION TO
INTERVENE AND TO STAY**

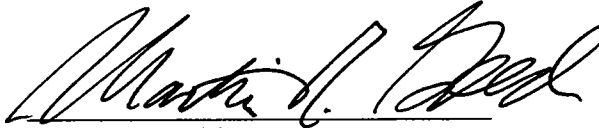
PLEASE TAKE NOTICE, that upon the annexed Declaration of Lynne Florio, executed June 26, 2007, with exhibits annexed thereto, and upon the accompanying Memorandum of Law, proposed-intervenor La Prairie Inc. (f/k/a Aviatrix Corporation) (“La Prairie”) will move this Court, before Hon. Paul A. Crotty, U.S.D.J., on August 2, 2007 at 3:00 pm, at 500 Pearl Street, Courtroom 20A, New York, N.Y., or at such other time as the Court may determine, for an order: (1) pursuant to Rule 24, Fed. R. Civ. P., granting La Prairie the right to intervene in this action as a defendant; (2) pursuant to Section 3, Federal Arbitration Act, 9 U.S.C. § 3, staying the instant action and all proceedings herein pending final resolution of arbitration in Zurich, Switzerland between plaintiff Clinique La Prairie, S.A. and La Prairie; and (3) granting such other and further relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE, that pursuant to Order of this Court, made June 20, 2007, papers in opposition to this Motion must be served on or before July 16, 2007, and reply papers must be served on or before July 30, 2007.

PLEASE TAKE FURTHER NOTICE, that pursuant to Order of this Court, made June 20, 2007, all discovery herein is stayed pending the hearing and determination of this motion.

Dated: New York, New York
June 27, 2007

SONNENSCHN NATH & ROSENTHAL LLP

By: 
Martin R. Gold
Monica Pa
1221 Avenue of the Americas
New York, New York 10020-1089
(212) 768-6700

Attorneys for La Prairie, Inc.

TO:

Milton M. Ferrell, Jr., Esq.
George G. Mahfood, Esq.
FERRELL LAW, P.A.
Attorneys for Plaintiff
598 Madison Avenue
New York, New York 10022

Attorneys for Plaintiff

Barbara S. Wahl, Esq.
David Neal Wynn, Esq.
ARENT FOX, LLP
1675 Broadway
New York, New York 10019

Attorneys for Defendant